

May 10, 2011
WTAHC Minutes

Present: Jim Powell, Mike Colaneri, Glenn Hearn, Jonathan Revere and Joanne Scott

Absent with Regrets: Vickie Thurber

Absent: Ernie Mendenhall

Also Present: Rhonda Conley

Glenn made a motion, seconded by Jonathan, to accept April 26, 2011 minutes as written.
VOTE 5 YES 0 NO

Crow Hollow: Jim read the e-mail addressed to the Planning Board from the Dept. of Housing and Community Development pertaining to the special permit on the Hoehn property (see attached). This was in response to a letter from the Planning Board to the Dept of Housing and Community Development (see attached). The committee discussed the opinion of the email that a new permit would be necessary for the project. The discussion of the documents dealing with the Crow Hollow project led to the committee asking Rhonda to request from Simone DeSorcy, Planning Board Admin. Asst. for all correspondence, etc. having to do with the Crow Hollow Project within the past month. Joanne feels Attorney McCarron should be made aware that the WTAHC knows of the Dept. of Housing and Community Development email. As the closing on the Hoehn property is supposed to happen on Fri. May 13, 2011, Joanne wants the committee to make sure McCarron is aware of the opinion of the email before hand. *Joanne made a motion, seconded by Jonathan, to email Attorney McCarron the Dept. of Housing and Community Development email asking for confirmation of receipt.*
VOTE 5 YES 0 NO

Bailey Park Project: Jim stated the preparation for moving the bank house to the Bailey Park property has started. He also stated that Habitat is looking for volunteers for moving floor tiles.

Homeowner Conveyance Policy: Mike presented the new draft for committee review (see attached). The committee briefly looked over the draft. **Mike made a motion, seconded by Joanne, to recommend the Homeowner Conveyance Policy May 9th draft to the Board of Selectmen for their review and comment. After which to schedule at their convenience a meeting to discuss with WTAHC the policy. Upon the agreement and satisfaction of final policy, the WTAHC ask that the Board of Selectmen schedule a Public Hearing on the policy. VOTE 5 YES 0 NO**

IHT: Jim stated that IHT sent a letter explaining their services.

Database: Jonathan presented what Joanne created on a spreadsheet. It was very small print and will be expanded by Jonathan onto a database.

Foreclosure: Mike brought up the issue of monitoring properties before they fell into the foreclosure mode. There was a discussion of what the committee can do without violating privacy laws. Mike stated the Assessors Office is not notified. They get notice of liens only. There was the idea of ground leases on all future properties because of the ability to monitor troubled mortgages. This issue Mike said needs further study.

Employee Evaluation: Rhonda gave Jim the forms to fill out for her evaluation.
Jonathan made a motion, seconded by Joanne, that the committee includes a letter that strongly supports Rhonda. VOTE 5 YES 0 NO

REPORTS

Jonathan spoke to Richard Knabel about IHT's Sepiessa II Project. Knabel told Jonathan that the IHT is in need of \$350,000.00 to move forward with the project. IHT will probably approach the WTAHTF for funding as well as the CPC. A discussion of the project and funding support followed. Jim stated he would talk to DCRHA Director, Vigneault about the project.

CPC: Glenn stated that the town voted to keep the 3% CPC tax. Annual applications for CPC funds should be filled out for Sept. if the committee is interested. Glenn did state that funds could be released at special town meeting. CPC will be contributing to the Maley Property purchase.

Adjourned at 8PM

The next meeting will be May 24, 2011 at 7PM 2nd floor town hall.

The next Affordable Housing Trust Fund meeting will be May 24, 2011 at 7:15PM 2nd floor town hall.

Respectfully submitted by Rhonda Conley

Attachments

Hello Simone –

My interpretation, NOT A LEGAL OPINION, of the permit extension act of 2010 is that a Special Permit that was granted by the Planning Board on July 7, 2008, filed with the Town Clerk on July 29, 2008, and certified of no appeal by the town clerk on August 18, 2008 is covered under the permit extension act. (See attached document for background). The Special Permit was in effect and existence between August 15, 2008 and August 15, 2010 so automatically gets a 2 year extension.

The 2 year extension starts on the date in which the permit was to expire, so my interpretation is that the permit would expire on July 7, 2012 – 2 years from the date of the Planning Board Grant. Again, NOT A LEGAL OPINION.

My interpretation of the Permit Extension Act is not relevant to this Special Permit because I still feel that Application B is significantly different from the original application. Therefore, Application B would require its own review and approval. Again this is my interpretation and not legal advice. The authority to decide if a new application is different from the original lies with the Board.

Thanks, Elaine

Elaine Wijnja (pronounced Vine-ya)
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Affordable Housing Conveyance Policy and Process

Purpose: To provide a process for the Town of West Tisbury and West Tisbury Affordable Housing Committee (WTAHC) to convey and accept a private property into the affordable housing pool. This process allows a private property owner to offer and designate his/her property as a restricted resale valued property as per the guidelines established by the WTAHC.

- a. The private property owner wishing to designate his/her property must make a written application to the WTAHC and conform to the process outlined below.

The application must include:

Property owner's name and address

Address, map and lot number of the proposed restricted property

Property description

Copy of deed to property

Other pertinent information as requested by the WTAHC such as, but not limited to, septic and well evaluations and testing, a plot plan and possible property upgrade and certified title search.

- b. At the time of acceptance of the property into the affordable housing pool, its value as a restricted resale valued property cannot exceed the Dukes County median income level of 140% as published from time to time by the Department of Housing and Community Development. Thereafter the value of the property may escalate only at the approved rate for restricted affordable housing.
- c. The WTAHC shall determine the restricted resale value of the property.
- d. Applicant must own the property free and clear without any mortgage encumbrances or liens.
- e. The property must be inspected by an accredited home inspection agency at owner's expense and deemed a reasonable property to be considered for an affordable housing resale restriction.
- f. Applicant must pay all legal costs and recording fees.
- g. Applicant must convey to the town a deed rider (covenant), ground lease and a mortgage lien of \$1.00 held by the Town of West Tisbury. The deed rider must state the restricted resale price of the property at the time of recording.
- h. When an application is deemed complete, the WTAHC shall decide whether to accept or deny the application. The WTAHC reserves the right to accept or deny any application. An affirmative majority vote of 2/3 or more of the committee shall constitute acceptance of the application, and a recommendation to the West Tisbury Board of Selectmen to accept the property into the affordable housing pool.
- i. The Board of Selectmen shall hold a public hearing on the recommended application, and therefore vote to accept or deny the affordable housing resale restriction.

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- j. The affordable housing resale restriction shall go into effect when the property is conveyed to income eligible owners, and thereafter only income eligible owners may own and occupy the property.
- k. It should be well understood, and with the guidance of an attorney, that by the Town accepting and placing a property in the West Tisbury Affordable Housing pool, that this action will place a permanent and irrevocable restriction on the accepted property.
- l. **After acceptance by the WTAHC and WT Board of Selectmen of a property into the affordable housing pool, the owner of said property should file an application for abatement with the Assessors office during the appropriate time period for such action. The Board of Assessors will then review the property and its affordable housing documents to determine whether a reduction in its assessment is warranted.**

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Revised Draft May10, 2011

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